

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-83-A - ORDER NO. 2020-490

JULY 21, 2020

IN RE: Public Service Commission of South)	ORDER AMENDING
Carolina - Administrative and Procedural)	ORDER NO. 2005-226
Matters)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) for consideration of an amendment to Commission Order No. 2005-226, dated May 6, 2005. This Order presently addresses the filing of confidential information with the Commission. This Commission herein addresses another aspect of confidential filing. With regard to the filing of hearing exhibits and testimony with confidential information filed by parties in various cases, there has been difficulty at times discerning from unredacted filings exactly what is supposed to be considered confidential. Although parties normally file redacted versions of these documents, it can still be difficult to locate the corresponding confidential material in the unredacted version of a document.

For this reason, we hold that, when testimony and exhibits to be filed with the Commission contain confidential information, such confidential information must be marked in the unredacted documents. These markings may be by notation at the beginning and the end of the confidential portion of the information, highlighting, shading, or other conspicuous means. In other words, the confidential portion of the documents must be clearly marked, while at the same time remaining readable. The responsibility for ensuring that the information afforded confidential treatment is marked

in the unredacted documents rests with counsel and the parties. Commission Order No. 2005-226 is therefore amended accordingly; however, said Order shall otherwise remain in full force and effect.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. An amendment to Commission Order No. 2005-226 on the filing of confidential information in testimony and exhibits is appropriate.

2. It can be difficult to discern what is intended to be confidential information in unredacted testimony and exhibits.

3. The unredacted version of testimony and exhibits must, in the future, indicate the information intended to be confidential by notation at the beginning and end of the confidential section, or by highlighting, shading, or other conspicuous means.

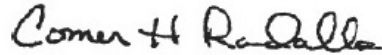
4. The confidential section of an unredacted document must be clearly marked, while at the same time remaining readable.

5. The responsibility for ensuring that the information afforded confidential treatment is marked as indicated in the unredacted material rests with counsel and the parties.

6. Commission Order No. 2005-226 is hereby amended as explained herein, and the Order, as herein amended, will remain in full force and effect.

7. This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



Comer H. "Randy" Randall, Acting Chairman

ATTEST:



Florence P. Belser, Vice Chair